



TRUSTEESHIP COUNCIL

Nineteenth Session

OFFICIAL RECORDS

781st Meeting

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at 10.35 a.m.

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President: Mr. Rafik ASHA (Syria).

Present:

The representatives of the following states: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of the annual report of the Administering Authority on the Trust Territory of Togoland under French administration for 1955 (T/1300, T/1304/Add.1, T/PET.7/520) (*continued*)

[Agenda item 3 (e)]

QUESTIONS CONCERNING THE TRUST TERRITORY AND REPLIES OF THE REPRESENTATIVE OF THE ADMINISTERING AUTHORITY (*continued*)

Social and educational advancement

1. In reply to a question from U PAW HTIN (Burma), Mr. BARGUES (France) said that the French Parliament had adopted the Lamine-Gueye Act in order to abolish variations in the pay of officials on the basis of their personal status. The Act provided that all officials should be entitled to family allowances, which had enabled some of them who were polygamous, because they professed the Moslem religion or belonged to certain ethnic groups, to draw in respect of all their lawful wives and all the children legally dependent upon them family allowances far in excess of the basic pay applicable to their grade and duties. There had been abuses in that field, but the Administering Authority could not compel the French Parliament to reconsider a decision which had been adopted in full knowledge of the facts and had been designed to put an end to all discrimination.

2. The Togoland Council of Ministers and the Togoland Legislative Assembly would now be responsible for fixing the pay of civil servants. In that connexion the Government of Togoland had greater freedom of action than the French Government had formerly had and it had already taken steps to limit to six the number of children in respect of whom a civil servant could receive family allowances.

3. U PAW HTIN (Burma) inquired about the precise relationship between the masses and the *élite* in Togoland. How far had the *élite* been able to awaken political consciousness in the Territory and to stimulate the formation of political opinions?

4. Mr. BARGUES (France) said that young people of both sexes who had received a university education in France or countries of Western civilization had acquired knowledge and adopted certain ways of life and thought which inevitably estranged them from the ways of life and thought to which their parents and their fellow countrymen had originally accustomed them. They were accordingly having some difficulty on their return to their country in reintegrating themselves in African society and readapting themselves to life in Togoland. Generally speaking that was a very serious problem, as it was precisely that intellectual *élite* which would be called upon to undertake the task of government and, when the time came, to lead the people of Togoland to a more advanced stage of civilization. The Administering Authority was convinced that harmonious relations must be maintained between the African civilizations and Western civilization and was endeavouring to persuade the *élite* not to cut themselves off from their fellow countrymen. Since, however, the people of Togoland, particularly in the south, had been in contact with Western civilization for several centuries, the problem of the association of the *élite* with the Togoland masses on the one hand and with the West on the other was not very pressing.

5. For a very long time the need for development in the political life of the Territory had been felt only by those in key positions within the framework of traditional institutions, or by those who had received higher education, but as a result of the development of primary education the masses had gradually become aware of the existence of political problems. It was now for the *élite* to guide the masses in the development of political consciousness and it was, in fact, they who led the political movements. Up to the present political attitudes had been assumed on the basis of simple ideas, but it would be a mistake to think that the members of the *élite* all held the same political opinions; in Togoland, as in all democratic countries, there were fine shades of opinion and small parties.

6. In reply to a further question from U PAW HTIN (Burma), concerning the loan for a housing programme mentioned on page 205 of the annual report¹, Mr. BARGUES (France) said that he was not yet in a position to state whether the loan had been granted. In view of the fact that the Caisse centrale de la France d'outre-mer had granted a large number of loans in all Territories in recent years, there was no reason why that particular loan should not have been granted.

¹ *Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo placé sous la tutelle de la France, année 1955* (Paris, Imprimerie Chaix, 1956). Transmitted to members of the Trusteeship Council by the Secretary-General under cover of document T/1300.

7. U PAW HTIN (Burma) asked whether the Administering Authority had taken steps to improve conditions in prisons and in the rehabilitation centre, as the Trusteeship Council had recommended at its seventeenth session (A/3170, p. 255).

8. Mr. BARGUES (France) explained that the Togoland Territorial Assembly had in the past been readier to allocate funds for the construction of dispensaries and schools than for the improvement of conditions in prisons, but that the 1957 budget provided larger appropriations than in previous years for the improvement of buildings and prison conditions.

9. In reply to questions from Mr. KESTLER (Guatemala), Mr. BARGUES (France), said that an appeal could be made against any decision by the Administration in one of two ways: either by an appeal for clemency to a higher authority, such as the High Commissioner or the Prime Minister; or if that appeal had no effect, the appellant could refer the case to an administrative court, i.e., the Administrative Disputes Board, in Togoland, or the Conseil d'Etat, in Paris. The Conseil d'Etat was competent to pass judgements in the first instance in certain cases, in particular cases where powers had been exceeded; it was also the court of appeals from decisions of the Administrative Disputes Board. Appeals before the Conseil d'Etat did not have the effect of suspending action.

10. With regard to the decrease in the number of male nurses holding local diplomas (240 in 1955 as against 278 in 1954), he regretted that he had no information on that subject.

11. Mr. KESTLER (Guatemala) inquired whether the Administration had adopted any further International Labour Conventions since 1954. According to page 178 of the annual report, there had been no labour dispute in 1955; it would be interesting to know why. He also asked what procedure was followed for the establishment of minimum wage rates and what part the indigenous inhabitants played in that connexion.

12. Mr. BARGUES (France) did not think that any further International Labour Conventions had been applied in the Territory, which did not mean that the Administering Authority had paid no regard to the recommendations of the International Labour Organisation. Indeed, while the ratification of Conventions necessarily took time, the regulations under the Labour Code were based on many of the provisions laid down in recent Conventions.

13. In that connexion, it should be noted that living conditions for wage-earners were very satisfactory in Togoland under French administration. Social conditions were good. There had been no change in the cost of living; wages, on the other hand, had increased; the minimum hourly wage rates had been raised by an Order of 20 April 1955. Hitherto the High Commissioner of the Republic had been responsible for establishing the minimum wage rate guaranteed to all categories of workers in various occupations. The Prime Minister, who would be able to delegate his powers to a member of his Cabinet, would henceforth be responsible for deciding on that matter on the basis of proposals made to him by the labour inspection services, which were entirely independent of the Executive. The Inspector of Labour, after consulting the workers' and employers' organizations, submitted proposals to the Consultative Labour Commission, which included representatives of the Assembly and of both employers and workers. The Consultative Commission then established

a model budget designed to provide a minimum living standard, i.e., the wage required to enable an unmarried worker to lead a decent life in accordance with his own way of living; that minimum wage might vary according to region, diet, or production costs. There was no question but that the indigenous inhabitants participated in establishing that minimum wage rate, in so far as the members of trade unions were themselves indigenous inhabitants. In the final instance, the responsibility for decision lay with an impartial authority, i.e., the Executive. In that connexion it should be noted that all but two members of the Government were indigenous inhabitants.

14. Mr. KESTLER (Guatemala) inquired whether any action had been taken on the suggestion of the Trusteeship Council that the Administering Authority consider the possibility of obtaining additional assistance from the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) and that it devote special attention to reducing infant mortality in the Territory (A/3170, p. 255).

15. Mr. BARGUES (France) said that anti-malaria and anti-yaws campaigns had been organized with the assistance of WHO. Perhaps the WHO representative had more recent information on those measures, which certainly did a great deal to reduce infant mortality, for the two diseases attacked mainly children.

16. Dr. TABONA (World Health Organization) stated that the assistance given by WHO to Togoland under French administration consisted of aid to campaigns against malaria and yaws and the award of two fellowships.

17. Mr. KESTLER (Guatemala) then inquired about action taken on the Council's recommendation concerning improvement of prisons and of the rehabilitation centre (A/3170, p. 255).

18. Mr. BARGUES (France) said that in African territories, and particularly in Togoland, the Assemblies were somewhat reluctant to vote large appropriations for the construction or maintenance of prisons; they were more inclined to give priority to other expenditure. However, in view of the observations of the United Nations Visiting Mission to the Trust Territories of Togoland under British Administration and Togoland under French Administration, 1955 (T/1211, paras. 191 to 195), the 1957 budget provided for more funds to be used for the improvement of the living conditions of prisoners. He added that since the weather was usually very mild, the prisoners spent a large part of the day in the open.

19. Mr. KESTLER (Guatemala), referring to the information on primary education given in the working paper on conditions in the Territory (T/L.740), said the number of students holding certificates of primary studies seemed low compared with the number of candidates taking the examination (of 3,499 candidates in 1955, only 1,271 had passed). He also noted that the enrolment at mission schools had increased whereas the enrolment at public schools showed a reduction in 1955 as against 1954.

20. Mr. BARGUES (France) considered that the proportion of successful candidates in the examination for the certificate of primary studies was satisfactory; it was certainly no higher in France. It was natural and necessary that there should be a weeding out at the end of the course of primary studies, whether in the dependent territories or in the metropolitan country; it would be bad policy to cheapen the value of the certi-

fications awarded. The only concession which might be made in Africa would be to raise the age limit, for African children did not grow up under the same conditions as children in metropolitan France.

21. With regard to the decline in the enrolment at the public schools, he said that comparisons between figures relating to two years only were bound to be misleading. What mattered was the course of developments over a period of time. It was also possible that the religious missions had conducted an active propaganda or that they had added more class-rooms. He pointed out that the missions had been established in the Territory well before the advent of the Administering Authority. Public secondary education was making slow headway, mainly because of the lack of *lycées* and *collèges* and the difficulty of recruiting qualified staff. Lastly, there would inevitably be a time lag before the development of primary education could produce an effect in secondary education.

22. He added that it was immaterial whether pupils attended one particular school or another; the really important phenomenon was the quite considerable rise in total school attendance figures.

23. Mr. SALSAMENDI (United Nations Educational, Scientific and Cultural Organization) presented document T/1304/Add.1, which referred to the Territory's marked progress in the matter of education and which contained a number of relevant recommendations by UNESCO.

24. Mr. LOBANOV (Union of Soviet Socialist Republics) asked what changes had taken place with regard to the status of women, and how the Council's recommendation in that connexion (A/3170, p. 254) had been implemented.

25. Mr. BARGUES (France) said it was most difficult to eradicate entrenched customs affecting the status of women. The Lamine-Gueye Act, which had tended to encourage polygamy, had recently been the subject of countervailing action by the Togoland Government. The improvement in the standard of living also benefited the women. In addition, women had received instruction in ways of doing their household tasks more easily and in more modern methods of caring for their children. In consequence of the far-reaching political rights they had acquired, women had become much more aware of their equality with men.

26. He then dealt with the question of the bride-price. Inasmuch as all the members of the African family contributed to running the household and to farming the family land or carrying on the family occupation, it was natural for the family group to be compensated when a young girl married. The institution of the bride-price had changed. In the towns, it was becoming symbolic: the prospective husband now merely gave a gift to the young girl's parents. On the other hand, malpractices had occurred in the rural areas; middle-aged men, having acquired some wealth, had "bought" a number of wives, with the consequence that young men had been unable to find marriage partners of their own age and that social disturbances had ensued. A decree of 14 September 1951 regulated the practice and amount of the bride-price.

27. Mr. LOBANOV (Union of Soviet Socialist Republics) wished to know the meaning of the term "secondary hospitals", in the section on public health of the working paper on conditions in the Territory (T/L.740).

28. Mr. BARGUES (France) explained that the only difference between a general hospital and a secondary hospital was in the management. The general hospital, formerly the property of the French State, had been managed in the past by staff from metropolitan France.

29. Mr. LOBANOV (Union of Soviet Socialist Republics) asked what was the difference between State diplomas and local diplomas for medical personnel. He also asked for a clarification of the difference between identical categories of specialists.

30. Mr. BARGUES (France) replied that the State diploma was awarded by French universities or medical schools. Local diplomas were awarded by institutions in the Territory or in the neighbouring African territories; those institutions were generally inferior to the State institutions. African doctors, who held local diplomas, were not authorized to perform all the functions of doctors. Local midwives were competent to deliver children under normal conditions, but they had to call in a doctor in any particularly complicated cases.

31. He added that African diplomas had been discontinued; only State diplomas were now awarded. It should be noted that a large number of Africans were at present studying medicine. Remuneration varied according to the administrative *cadre* to which the employee belonged.

32. Mr. LOBANOV (Union of Soviet Socialist Republics) asked for particulars concerning newspapers and radio broadcasts in the vernacular.

33. Mr. BARGUES (France) replied that, under the French Act of 29 July 1881, which was still applicable to the Territory, any person had the right to publish a newspaper. There were twelve newspapers, of which some appeared regularly and others at less regular intervals. Some were published in French, while others contained pages in some of the vernacular languages. He could not give the particulars requested concerning radio broadcasts but would try to obtain them.

34. Mr. LOBANOV (Union of Soviet Socialist Republics), referring to the matter of education, said that 70 per cent of the pupils did not complete their primary studies; that indicated a very low level of education. What action was the Administering Authority contemplating to give effect to the Council's recommendation that in the near future the Territory should have enough schools to make education universal and compulsory (A/3170, p. 257).

35. Mr. BARGUES (France) said there was nothing unusual in the fact that not all children taking examinations passed. It was generally recognized that primary education should expand. The Administering Authority had made good progress in that respect, as was confirmed by UNESCO's observations (T/1304/Add.1).

36. Mr. LOBANOV (Union of Soviet Socialist Republics) said that if the instruction was sound, the vast majority of the people of any territory was capable of completing the course of primary education, and even secondary and higher education. What was required was a well organized educational system and educational work, an adequate staff and the senior officials essential for day-to-day supervision of the educational process. To what extent were the vernacular languages used as the medium of instruction in the public schools?

37. Mr. BARGUES (France) replied that French was the language of instruction.

38. Mr. LOBANOV (Union of Soviet Socialist Republics) asked how many of the indigenous inhabi-

tants had taken advantage of the scholarships offered by States Members of the United Nations.

39. Mr. BARGUES (France) said that, as far as he was aware, no Togoland student had received any of those scholarships.

40. Mr. SALOMON (Haiti) referred to the measures taken by the Administering Authority to limit the loads carried by women, and asked whether the use of pack- or draught-animals was increasing in the Territory.

41. Mr. BARGUES (France) said that it was very difficult to enforce legislative provisions relating to the carrying of heavy loads by women. Resistance was encountered not only from those whose duty it was to administer the regulations but also from the persons whom the regulations were intended to help. One solution would be to develop the breeding and use of pack- or draught-animals, but unfortunately the Africans, who were not traditionally accustomed to stock-breeding, were slow in taking to the idea. In contrast, the railways, motor buses, motor coaches and lorries now operating in Togoland were popular among the indigenous inhabitants.

42. Mr. SALOMON (Haiti) asked what attention was being paid to agricultural training in the Territory.

43. Mr. BARGUES (France) acknowledged that it was a weak point in the Territory's educational system. There was no full-time school of agriculture, but the Agricultural Service offered courses for young men to enable them to enter for the competitive examinations leading to careers in agriculture. Togoland students aspiring to senior posts in the Administration could study in metropolitan France or in West Africa.

44. Mr. MUFTI (Syria) said that, according to a statement appearing on page 194 of the annual report, the anti-malaria campaign started in 1953 had expanded to nearly three times its original scope in 1955; he asked for details.

45. Mr. BARGUES (France) said that malaria control involved three phases. Firstly, during the campaign against the larvae, the object was to discover and destroy the breeding places and the mosquitoes, to spray stagnant water with insecticides and to fill in some lagoons, as had been done at Lomé. During the second phase modern contact insecticides, such as DDT and HCH were sprayed; that process had afforded protection to more than 33,000 persons in the coastal zone and covered an area of 2,484,000 square metres. Thirdly, by means of the methods of chemotherapy and, above all, of the free distribution of synthetic anti-malarial drugs to children, the disease had been virtually eliminated at Lomé. In 1956, the detection and treatment teams which had entered dwellings had found only three breeding places at Lomé, whereas they had discovered thousands some years before. Sample surveys carried out in the Lomé area showed that only 2 per cent of the children examined were suffering from any form of malarial infection, by contrast with an incidence

of 35 per cent before the anti-malaria campaign had started.

46. In the rural areas malaria control took the form of the spraying of houses with DDT. The campaign had been particularly active in the region of Vogan; a belt twenty-five kilometres wide, stretching the entire length of the coast from the frontier of Ghana to the frontier of Dahomey had been protected. In 1955, the number of inhabitants directly protected had been about 137,000 and 72,000 houses had been treated. The plasmodic index, which had formerly stood between 35 and 40 per cent, had fallen to between $7\frac{1}{2}$ and 8 per cent. The campaign had continued into 1956, covering more than 100,000 persons in the Tabligbo region. The techniques of chemotherapy had not been used in rural areas because they were costly and it had been necessary to proceed step by step.

47. He was not prepared to state that malaria control had increased threefold between 1953 and 1955, but he emphasized that the campaign had been steadily intensified.

48. In reply to a further question from Mr. MUFTI (Syria), Mr. BARGUES (France) said that the increase in expenditure for higher education shown on page 353 of the annual report had been intended to develop the system of fellowships for young men studying in institutions of higher education. The appropriations for those scholarships had always been voted by the Territorial Assembly of Togoland.

49. Mr. MUFTI (Syria) noted from page 330 of the annual report that only a small proportion of the permanent wage-earning employees had written contracts. In the absence of contracts of employment, it was surely difficult to enforce the labour legislation.

50. Mr. BARGUES (France) said that while admittedly very few Togoland workers had written contracts, the situation was not peculiar to Togoland. The existing system did not of course offer sufficient safeguards to the workers but, rather than require the employer to provide a written contract for each wage-earning employee, it seemed preferable to require the employers' and workers' associations to enter into collective agreements, and that had been the Administration's policy. The Labour Code expressly provided that wage scales and other conditions of employment in the various occupations should be fixed by collective agreements, and it should be noted that such agreements were legally binding and any infringement thereof led to the institution of conciliation proceedings before the Inspector of Labour and, if conciliation failed, to legal proceedings in the Labour Tribunal.

51. In practice, however, the Administering Authority's first task—which had taken precedence over the drafting of collective agreements—had been to facilitate the establishment of employers' and workers' associations.

The meeting rose at 1.10 p.m.